

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

June 15, 2005

A regular meeting of the New Hampshire Board of Pharmacy was held on **June 15, 2005** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:06 a.m.** with President Margaret E. Hayes presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Margaret E. Hayes, President
Kristina Genovese, Vice-President
George L. Bowersox, Treasurer
Sandra B. Keans, Secretary
Vahrij Manoukian, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Peter A. Grasso,
Chief Compliance Investigator

ABSENT

Ronald L. Petrin, Member

ALSO ATTENDING

Caitlin McPhee - 5th year student MCPHS-Boston. Guest of Commissioner Hayes.

II. REVIEW/ADOPTION OF MINUTES

Minutes of the **May 18, 2005 regular meeting** of the Board were accepted as submitted. **(Manoukian/ Bowersox). Voted (unanimous).**

III. LICENSING

A. **Pharmacy Technician**

Voluntary Surrender

ROBIDOUX, Kimberly M.

Rochester, NH

-NH Registration No. PT2457 (not renewed for 2005)

-ROI – 01/05

Motion (Keans/Genovese) to accept the voluntary surrender of Ms. Robidoux's NH pharmacy technician registration effective immediately. Voted (unanimous).

IV. CONTINUING EDUCATION

- A. The Board reviewed the following program evaluation and recommendation submitted by the Continuing Education Advisory Council:

PROGRAM # 30-05-L007

"New England NADDI Spring Conference"

Dates: March 21-22, 2005
Location: Meredith, NH
Submitted By: Peter A. Grasso, R.Ph.

Recommendation: Approve for 1.05 CEU's (10.5 Contact Hours).

Board Action: Concurrence.

Motion (Genovese/Bowersox). Voted (unanimous).

B. Annual Continuing Education Audit

Pursuant to the continuing education audit (of 2004 programs for 2005 pharmacist license renewal), the Continuing Education Advisory Council reports that the following NH licensed pharmacists did not comply with the continuing education requirements and/or did not respond to the audit request, and accordingly, recommends that disciplinary procedures be initiated:

1. **FOUZIA ABISOUROUR**
2006 Peach Orchard Drive, #12
Falls Church, VA 22043

Lic. #: 2923

Short 5.0 hours of (didactic) CE programming.
2. **HITESHI P. AMIN**
611 Strandhill Court
Timonium, MD 21093

Lic. #: 2925

Short 7.0 hours of (correspondence) CE programming.

3. **MICHAEL T. BERUBE**
19 Nicholas Way
Middleboro, MA 02346

Lic. #: 3149

Short 0.5 hours of (correspondence) CE programming.
4. **PAUL J. BOUCHER**
13 Evelyn Street
Hooksett, NH 03106

Lic. #: 2713

Short 1.0 hour of (didactic) CE programming.
5. **DIKRAN L. DAKESSIAN**
12193 East Paradise Drive
Scottsdale, AZ 85259

Lic. #: R1704

Short 2.0 hours of (correspondence) CE programming.
6. **ANNEMARIE W. KELEHER**
7 Donnelly Drive
Medfield, MA 02052

Lic. #: 2476

Short 1.0 hour of CE programming (of which 0.5 is didactic).
7. **DIEP-ANH T. NGUYEN**
86 Winkley Farm Lane
Rochester, NH 03867

Lic. #: R1613

Short 1.0 hour of (didactic) CE programming.
8. **KEVIN R. SIMMONS**
P.O. Box 1
Jaffrey, NH 03452

Lic. #: 2078

Short 12.5 hours of CE programming (of which 2.5 are didactic).

9. **JASON E. TWOMBLY**
6855 Miami Ridge Drive
Loveland, OH 45140

Lic. #: 2853

Short 2.5 hours of (correspondence) CE programming.

Motion (Genovese/Bowersox) to propose Settlement Agreements for #'s 1-9 as referenced above according to the Schedule of Fines and Penalties for CE Violations previously approved by the Board. Voted (unanimous).

10. **JENNIFER A. CURRAN**
60 Chickatabot Road
Quincy, MA 02169

Lic. #: 3013

Short 4.0 hours of (correspondence) CE programming.

11. **WILLIAM L. FLEMING**
164 Bunker Road
Rotonda, FL 33947

Lic. #: R0538

Short 5.0 hours of (correspondence) CE programming.

Motion (Keans/Bowersox) to propose Settlement Agreements for #'s 10-11 as referenced above according to the Schedule of Fines and Penalties for CE Violations, Second Offense, previously approved by the Board. Voted (unanimous).

12. **MONA EL-ALI**
42 Royal Crest Drive, Apt. 4
Nashua, NH 03060

Lic. #: R1784

Failure to respond to request for submission of continuing education documents for CE earned in 2004 for 2005 renewal of pharmacist licensure, issued by the Board on March 25, 2005 as well as a second request issued by the Board on April 6, 2005.

Motion (Bowersox/Genovese) to issue a Notice of Hearing to Ms. El-Ali providing her with the opportunity to show cause as to why her license to practice pharmacy in New Hampshire should be continued. Voted (unanimous).

13. **KELLY S. SALEMA**
4 Hanover Lane
Derry, NH 03038-1200
Lic. #: R1347

Failure to respond to request for submission of continuing education documents for CE earned in 2004 for 2005 renewal of pharmacist licensure, issued by the Board on March 25, 2005 as well as a second request issued by the Board on April 6, 2005.

Motion (Bowersox/Keans) to accept, without prejudice, the voluntary surrender of license to practice pharmacy in New Hampshire by Ms. Salema. Voted (unanimous).

V. COMPLIANCE UNIT

- A. **Activity Report**
• May 2005

Motion (Manoukian/Keans) to accept the report as submitted. Voted (unanimous).

VI. OLD BUSINESS

Transmission of Prescription Information by Facsimile
- Amend Ph 704.03

Ph 704.03 Transmission of Prescription Drug Order by Prescriber

- (a) *A prescription drug order may be transmitted to a pharmacy by an authorized prescriber or his designated agent either in writing, orally or electronically.*
- (b) *An electronically transmitted, **by facsimile**, prescription drug **or device** order shall:*
- (1) *Be sent to the pharmacy of the patient's choice; and.*
- (2) *~~Include the name and address of the practitioner, the practitioners phone number for verbal confirmation, the time and date of transmission and the name of the pharmacy intended to receive the transmission as well as any other information required by federal or state law.~~*

(2) *For a non-controlled substance prescription drug or device order, include:*

- a. The name of the patient;*
- b. The name, strength, and quantity of the drug prescribed;*
- c. Any directions specified by the prescribing practitioner;*
- d. The name and address of the prescribing practitioner which shall be printed or typewritten;*
- e. The prescribing practitioner's phone number for verbal confirmation; and*
- f. The date the prescription was ordered.*

(3) *For Schedule III – IV controlled substance prescription drug order, include:*

- a. The name and address of the patient;*
- b. The name, strength, and quantity of the drug prescribed;*
- c. Any directions specified by the prescribing practitioner;*
- d. The full name of the prescribing practitioner which must be printed, rubber stamped, or typewritten above or below his or her handwritten signature;*
- e. The address of the prescribing practitioner;*
- f. The DEA number assigned to the prescribing practitioner; and*
- g. The date the prescription was ordered.*

(c) *The pharmacist shall exercise professional judgment regarding the accuracy and authenticity of the electronically transmitted, **by facsimile**, prescription drug order **which shall be** consistent with existing federal or state laws and rules.*

~~(d) *A prescription may be electronically transmitted to and received by a pharmacy provided that the identity of the prescriber and the transmitting agent is included in the order.*~~

(d) *The pharmacist receiving a facsimile for a prescription drug or device shall indicate on the face of the prescription, the word "fax" or "faxed", which may be handwritten or stamped, as well as his/her initials.*

VII. NEW BUSINESS

CONCORD HOSPITAL PHYSICIAN GROUP

250 Pleasant Street
Concord, NH 03301

Representatives of the Concord Hospital Physician Group, including **Karen E.**

Wilber, Director of Practice Administration; Paul Clark, M.D., Health Information Technology Physician Advisor; and Charles Fanaras, R.Ph., The Prescription Center, Concord, NH presented an informational review of a new program for the care of patients with chronic pain and patients that are narcotic users. This new pain management module is intended to be used in conjunction with the electronic medical record (EMR) for the documentation of appropriate use of both opioid and non-opioid medication.

The Board commends the Concord Hospital Group for their effort in the development of this program which includes a *Pain Management Contract/Plan* which is negotiated between the patient, the practitioner, and a designated pharmacy.

VIII. ADJOURNED 11:05 A.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD

A non-public meeting was called (Manoukian/Bowersox) at 11:22 a.m. with Commissioners Bowersox, Genovese, Hayes, Keans , and Manoukian present.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.

The non-public meeting was adjourned (Manoukian/Keans) at 1:50 p.m.